

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Jose Juan Herrera-Pequeno

PRINCIPAL

YOB:

1964

Mexico

United States District Court
Southern District of Texas
FILED

AUG 19 2016

CRIMINAL COMPLAINT

Case Number:

M-16-1539 -M

(Name and Address of Defendant)

Clark of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 17, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Pedro Gabriel Cuevas-Zapata and Miguel Angel Karr-Cazares, citizens of Mexico, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 17, 2016 at approximately 10:20 p.m., a Border Patrol Agent, working in Mission, Texas, advised over the service radio he had visual of a tan SUV loading up subjects at the intersection of Anzalduas Parkway and Old Military Road.

Agent advised the vehicle was traveling northbound on Anzalduas Parkway. A CBP helicopter, call sign Omaha, was in the area and quickly established visual of the tan SUV and continued calling the direction of travel of the vehicle. Nearby Border Patrol Agents observed the vehicle turn eastbound on the frontage road and then get on Expressway 83. Agents caught up to the vehicle and conducted a traffic stop the intersection of Shary Road on Expressway 83 near Mission, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No


Signature of Complainant

Approved Josiah Leonard
Sworn to before me and subscribed in my presence,

Jerrico Leason Senior Patrol Agent
Printed Name of Complainant

August 19, 2016
Date

at McAllen, Texas
City and State

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Dorina Ramos
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- 1539 -M

RE: Jose Juan Herrera-Pequeno

CONTINUATION:

An agent exited his vehicle and approached the driver door and could see several subjects lying in the back passenger compartment of the Tahoe. The agent identified himself and asked the driver to step out of the vehicle. The driver/principal was identified as HERRERA-Pequeno, Jose Juan (DOB: 06/20/1964). HERRERA-Pequeno stated he was a Mexican citizen with no immigration documents to be in the United States. HERRERA-Pequeno stated he was currently residing in Pharr, Texas. After questioning all occupants inside the vehicle, a total of seven subjects were arrested. The driver was identified as Jose Juan Herrera-Pequeno and was placed under arrest for transporting illegal aliens.

PRINCIPAL STATEMENT:

Jose Juan HERRERA-Pequeno was read his Miranda Rights and declined to give a statement without the presence of an attorney.

MATERIAL WITNESS STATEMENT-1: Pedro Gabriel CUEVAS-Zapata

Pedro Gabriel CUEVAS-Zapata was read his Miranda Rights and agreed to provide a statement without the presence of an attorney.

Pedro Gabriel CUEVAS-Zapata is a citizen of Mexico, stated his brother-in-law was going to pay a fee of \$700 for him to be smuggled into the United States. His brother-in-law paid half and was going to pay the rest once he arrived in Mission, Texas. CUEVAS-Zapata stated that they crossed the river illegally and when they were by a road he was told a vehicle was going to pick them up. A few minutes later a grey truck pulled up and they got in. He stated that when Border Patrol activated the emergency lights the driver of the vehicle told all the passengers to get down.

CUEVAS-Zapata was shown a photo lineup and was able to identify the driver of the vehicle.

MATERIAL WITNESS STATEMENT-2: Miguel Angel Karr-Cazares

Miguel Angel KARR-Cazares was read his Miranda Rights and agreed to provide a statement without the presence of an attorney.

Miguel Angel KARR-Cazares is a citizen of Mexico, stated he was going to pay a total of \$1500.00 to be smuggled into the United States. Subject stated that once they crossed illegally into the United States they walked for about thirty minutes until they reached an overpass where they waited for a tan Suburban to pick them up. Once in the vehicle the subject states that the driver told them to lay down and not to move around. He also stated that once Border Patrol activated the emergency lights the driver pulled over and said "this is it". KARR-Cazares was asked if he could describe the driver and he stated the driver was an older man with a mustache and wearing glasses.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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RE: Jose Juan Herrera-Peueno

CONTINUATION:

KARR-Cazares was then shown a photo lineup and was able to identify the driver of the vehicle.